



Applicant or Patentee: HAMET, Pavel et al.
Serial or Patent No.: _____

Attorney's
Docket No. 29312-0084

Filed or Issued: _____
For: PRE-CONDITIONING AGAINST CELL DEATH

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled PRE-CONDITIONING CELLS AGAINST CELL DEATH described in

- () the specification filed herewith
(X) appl'n. serial no. _____, filed _____
() patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- () no such person, concern, or organization
(X) persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME Vasogen Ireland Limited ADDRESS Shannon Airport House,
Shannon, Co. Clare, Ireland

() INDIVIDUAL (X) SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

Research Centre of the University of Montreal (CHUM) ADDRESS Campus Hotel-Dieu,
2840, rue Saint-Urbain, Montreal, Quebec, Canada H2W 1T8

() INDIVIDUAL () SMALL BUSINESS CONCERN (X) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

HAMET, PAVEL
NAME OF INVENTOR



Signature of Inventor

02/01/00
Date

TREMBLAY, JOHANNES
NAME OF INVENTOR



Signature of Inventor

02/01/2000
Date

DESROSIER, Christine
NAME OF INVENTOR



Signature of Inventor

03/02/2000
Date

CHEN, Huifang
NAME OF INVENTOR



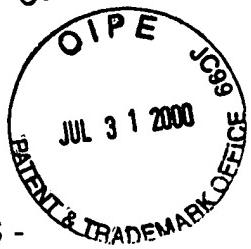
Signature of Inventor

03/02/2000
Date

Applicant or Patentee: HAMET, Pavel et al
Serial or Patent No.: _____
Filed or Issued: _____
Title: PRE-CONDITIONING AGAINST CELL DEATH

Attorney's
Docket No:

29312-0084



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS -
(37 CFR 1.9(f) & 1.27(c)). SMALL BUSINESS CONCERN

I hereby declare that I am

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Vasogen Ireland Limited

ADDRESS OF SMALL BUSINESS CONCERN Shannon Airport House, Shannon, Co. Clare, Ireland

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PRE-CONDITIONING AGAINST CELL DEATH by inventor(s) HAMET, Pavel, TREMBLAY, Johanne, DESROSIER, Christine and CHENG, Hufang described in

- the specification filed herewith
 application serial no. _____ filed _____
 patent no. _____ issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor(s), who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27).

NAME _____ ADDRESS _____
 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

NAME _____ ADDRESS _____
 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Christopher J. Waddick Kevin Donovan
TITLE OF PERSON IF OTHER THAN OWNER Vice President, Finance Director
ADDRESS OF PERSON SIGNING Shannon Airport House
Shannon, Co. Clare, Ireland

SIGNATURE Kevin Donovan - DATE March 1, 2000.



Applicant or Patentee: CENTRE DE RECHERCHE DU CENTRE HOSPITALIER DE L'UNIVERSITE DE MONTREAL (CHUM)

Serial or Patent No.: 09/480,260
 Filed or Issued: January 11, 2000
 Title: PRECONDITIONING AGAINST CELL DEATH

Attorney's
 Docket No:
29312-0084

**STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS -
 (37 CFR 1.9(f) & 1.27(d)).. NONPROFIT ORGANIZATION**

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION CENTRE DE RECHERCHE DU CENTRE HOSPITALIER DE L'UNIVERSITE DE MONTREAL (CHUM)

ADDRESS OF NON PROFIT ORGANIZATION Campus Hotel-Dieu, 3840, rue Saint-Urbain, Montreal, Quebec, Canada H2W 1T8

TYPE OF NONPROFIT ORGANIZATION:

UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 19(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in

X the specification filed herewith
 application serial no. 09/480,260 filed January 11, 2000
 patent no. _____ issued _____

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent invention under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

VASOGEN IRELAND LIMITED
CENTRE DE RECHERCHE DU CENTRE HOSPITALIER DE L'UNIVERSITE DE
MONTREAL (CHUM)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

NAME OF PERSON SIGNING _____

TITLE IN ORGANIZATION OF PERSON SIGNING _____

ADDRESS OF PERSON SIGNING _____

SIGNATURE  DATE June 2, 2000

M. Gérard R. Douville
Directeur général
CHUM



DECLARATION, POWER OF ATTORNEY

As a below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names,

We believe we are the original, first and sole inventors (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
PRECONDITIONING CELLS AGAINST CELL DEATH,
 the specification of which

(Check is attached hereto.
 one)

was filed on January 11, 2000 as
 Application Serial No. 09/480,260
 and was amended on _____
 (if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, S.1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, S.119(a)(b), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	[]	[]
			Yes	No

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	[]	[]
			Yes	No

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I hereby claim the benefit under Title 35, United States Code, S.120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, S.112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, S. 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

60/115,636
(Application Serial No.)

January 12, 1999
(Filing Date)

Pending
(Status)
(Patented, pending,
abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(Patented, pending,
abandoned)

POWER OF ATTORNEY

We hereby appoint Dr. Leonard C. Mitchard (Reg. No. 29,009) of Messrs. Nixon & Vanderhye P.C., 8th Floor, 1100 North Glebe Road, Arlington, Virginia 22201-4714, United States of America ((703)816-4100), as my attorneys or agents to prosecute this application, to make alterations or amendments therein, to receive the patent and all correspondence relating to this application, and to transact all business in the U.S. Patent and Trademark Office connected therewith, and the said attorneys or agents are hereby given full power of substitution and revocation.

Address all correspondence and telephone calls to:

Dr. Leonard C. Mitchard
Nixon & Vanderhye P.C.
8th Floor, 1100 North Glebe Road
Arlington, Virginia 22201-4714
U.S.A.

Telephone: (703) 816-4100

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like

so made are punishable by fine or imprisonment; or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

HAMET, PAVEL

Full name of sole or first inventor

Inventor's Signature

02/01/00 Canadian
Date Citizenship

c/o Pavilion Hotel-Dieu

3840 rue Saint-Urbain

Montreal, PQ., Canada, L8V 1C3
Residence Address

DESROSIER, Christine

Full name of sole or first inventor

Inventor's Signature

Feb 03, 2000 Canadian
Date Citizenship

3741 St. Andre

Montreal, Quebec

Canada H2L 3V6
Residence Address

TREMBLAY, Johannes

Full name of second joint inventor

Inventor's Signature

02/01/2000 Canadian
Date Citizenship

c/o Pavilion Hotel-Dieu

3840 rue Saint-Urbain

Montreal, PQ., Canada L8V 1C3
Residence Address

CHEN, Huifang

Full name of second joint inventor

Inventor's Signature

Feb 03, 2000 Canadian
Date Citizenship

271 Inglewood Avenue

Pointe-Claire, Quebec

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Residence Address